

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LAURENCE BARTELL, et al.)	CASE NO. 2:14-cv-00401
)	
Plaintiffs,)	JUDGE EDMUND A. SARGUS
)	
vs.)	MAGISTRATE JUDGE NORAH
)	McCANN KING
LTF CLUB OPERATIONS)	
COMPANY, INC.)	
)	
Defendant.)	<u>DEFENDANT'S MOTION FOR SCHEDULING CONFERENCE</u>

Defendant, LTF Club Operations Company, Inc. ("Life Time"), requests a conference with the Court to set a schedule to govern briefing on Plaintiffs' request for class certification.

Prior to retiring, Magistrate Judge Abel set a schedule related to the Plaintiffs' attempt to certify a class that only ran through the deadline for Plaintiffs to file their class certification motion, which was filed March 20, 2015 (ECF#46). The parties discussed with the Court but did not set a schedule for further briefing on that motion. Now that Plaintiffs have filed that motion, a schedule is necessary for the remaining briefing on that motion in conjunction with discovery that remains to be conducted on the certification issue and in light of the pendency of Defendant's motion to dismiss (ECF#32) and the Court's recent setting of a trial date (ECF#48).

Counsel for Life Time has consulted with counsel for Plaintiffs and proposed that, in order to accommodate certain pending discovery that remains to be completed and to permit a ruling on Life Time's pending motion to dismiss, Life Time's deadline for opposing the motion to certify a class be June 18, 2015, or 45 days from Judge Sargus's ruling on the motion to dismiss, whichever comes sooner. Plaintiffs' counsel does not consent to that proposed schedule

but agrees a scheduling conference is necessary to discuss and set a schedule to govern these dates.

Therefore, Life Time requests a scheduling conference to set a schedule to govern briefing on Plaintiffs' request for class certification.

Respectfully submitted,

/s/ Christopher C. Koehler
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CERTIFICATE OF SERVICE

I do hereby certify that, on this 27th day of March, 2015, a copy of the foregoing was filed electronically with the Federal Court. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Christopher C. Koehler

One of the Attorneys for Defendant
LTF Club Operations Company, Inc.